

Substitute for Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete if Known**

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| Application Number | 10/600,298 |
| Filing Date | June 20, 2003 |
| First Named Inventor: | Julian N. Nikolchev |
| Art Unit | 3743 |
| Examiner Name | Henry A. Bennett |
| Attorney Docket No. | 006701.P002XC4 |

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| Sheet | 1. | of | 3 |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|--------------------|----------------------|---|----------------|
| MB | 1. | Conceptus, Inc.'s <u>Complaint for Declaratory Judgment of Patent Non-Infringement, Invalidity and Unenforceability; and Demand for Jury Trial</u> , Case #:3:02-cv-1968), filed in U.S. District Court Northern District of California, San Francisco Division, executed April 22, 2002, pages 1-10. | |
| | 2. | Conceptus, Inc.'s <u>Conceptus, Inc.'s Patent Local Rule 4-2 Preliminary Claim Constructions and Extrinsic Evidence, with Proof of Service</u> Case No. C-02-1968 (MHP), filed in U.S. District Court Northern District of California, San Francisco Division, executed June 19, 2003, pages 1-16. | |
| | 3. | Conceptus, Inc.'s <u>Conceptus' Amended Answer to Ovion's Complaint, Affirmative Defenses and Counterclaims, and Jury Demand</u> , Case No. C-02-3884 (MHP), filed in U.S. District Court Northern District of California, executed September 26, 2002, pages 1-12; Proof of Service, pages 1-2. | |
| | 4. | Conceptus, Inc.'s <u>Conceptus' Answer to Ovion's Complaint, Affirmative Defenses and Counterclaims</u> , Case No. C-02-3884 (MHP), filed in U.S. District Court Northern District of California, executed September 25, 2002, pages 1-12. | |
| | 5. | Conceptus, Inc.'s <u>Conceptus' Motion For Summary Judgment of Invalidity of the Asserted '116 Patent Claims in view of Conceptus, Inc.'s '979 Patent</u> Case No. C-02-1968 (MHP), filed in U.S. District Court Northern District of California, executed October 6, 2003, pages i-v and 1-25. | |
| ↓ | 6. | Conceptus, Inc.'s <u>Declaration of Dr. Ralph M. Richart in Support of Conceptus, Inc.'s Motion for Summary Judgment of Invalidity of the Asserted '116 Patent Claims in View of Conceptus, Inc.'s '979 Patent</u> , Case No. C-02-1968 (MHP), filed in U.S. District Court Northern District of California, San Francisco Division, executed October 6, 2003, pages 1- | |

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| Examiner Signature | /Michael Brown/ | Date Considered | 02/20/2007 |
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Based on Form PTO/SB/08B (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/10/03.

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| | 14, Exhibits 1-5. | |
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| MB  | 7. | Conceptus, Inc.'s <u>First Amended Complaint For (1) Declaration Judgment of Patent Non-Infringement, Invalidity and Unenforceability; (2) False Advertising Under 15 U.S.C. § 1125(A); (3) Trade Libel; (4) Unfair Competition Under Common Law and Cal. B&P §17200 Et Seq.; (5) Unjust Enrichment; and (6) Constructive Trust Demand for Jury Trial</u> , Case #:3:02-cv-1968 MHP, filed in U.S. District Court Northern District of California, executed June 13, 2001, pages 1-19. | |
| | 8. | Conceptus, Inc.'s <u>Preliminary Invalidity Contentions</u> , Case #:3:02-cv-1968 MHP and Case No. C-02-3884 (MHP), filed in U.S. District Court Northern District of California San Francisco Division, executed April 20, 2003, pages 1-129; Certificate of Service, pages 1-3. | |
| | 9. | KERIN, J.F., "New Methods for Transcervical Cannulation of the Fallopian Tube," <u>International Journal of Gynecology and Obstetrics</u> , 51 Suppl. 1 (1995) pages S29-S39. | |
| | 10. | Ovion, Inc.'s and Conceptus, Inc.'s, <u>Joint Claim Construction and Prehearing Statement Pursuant to Patent Local Rule 4-3</u> , Case No. C-02-3884 (MHP), filed in U.S. District Court Northern District of California, San Francisco Division, executed August 6, 2003, pages 1-5; Table 1, pages 1; Table 2, pages 1-67; Table 3, pages 1-6; and <u>Joint Claim Construction and Prehearing Statement Pursuant to Patent Local Rule 4-3</u> , with Expert Reports, tabs 1-4 as exhibits. | |

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| MB | 11. | Ovion, Inc.'s <u>Complaint for Patent Infringement; and Demand for Jury Trial</u> , Case No. C-02-3884, filed in U.S. District Court Northern District of California, executed August 13, 2002, pages 1-5. | |
| ↓ | 12. | RISQUEZ, F., et al., "Transcervical Tubal Cannulation, Past, Present, and Future" <u>Fertility and Sterilization</u> , Centro Medico Docente La Trinidad, Caracas, Venezuela, and Mount Sinai Hospital Medical Center and Rush Medical College, Chicago, IL, Vol. 60, No. 2, August 1993 Pgs. 211-226. | |
| | 13. | WILSON, E.W., "The Evolution and Methods for Female Sterilization", <u>International Journal of Gynecology & Obstetrics</u> 51 Suppl. 1 (1995) S2-S13. | |
| | 14. | WILSON, E.W., "Sterilization" <u>Baillière's Clinical Obstetrics and Gynecology</u> , Vol. 10, No. 1, April 1996, pages 103-119. | |
| | 15. | U.S. District Court California Northern District Civil Docket For Case #:3:02-cv-01968 MHP, pages 1-10. | |
| | 16. | U.S. District Court California Northern District Civil Docket For Case #:3:02-cv-03884, pages 1-8. | |

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